IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:21.12.2006

CORAM:

THE HON'BLE MR. JUSTICE P. SATHASIVAM
AND
THE HON'BLE MR. JUSTICE S. TAMILVANAN

WRIT APPEAL NO.1766 of 2000
and WPMP.No.15321 of 2000

The Commissioner
Corporation of Chennai
Ripon Building
Chennai 600 003. .. Appellant(Respondent)

vs.

Noel Traffic Advertising Pvt. Ltd.
Rep. By its Managing Director
Mr. A. Kanagaraj. .. Respondent(Petitioner)

Writ Appeal filed under Clause 15 of the Letters Patent against the order of the learned Judge Mr. Justice P.D. Dinakaran, dated 18.09.2000 made in WP.No.14429 of 2000.

Petition presented to this court under Article 226 of the Constitution of India to issue a writ of Mandamus directing the respondent to allow the petitioner to proceed with the erection of of foot over bridges a cross N.S.C. Bose Road, Chennai at the Armenian Street and Law College Junction without any disturbances or Hindrance whatsoever as per the terms of the B.O.T. Agreement dated 23.3.2000.

For appellant : Mr. L.N. Prakasam
For respondents: Mr. K.V. Sanjeev Kumar

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JUDGMENT

(Judgement of the Court was delivered by P. SATHASIVAM,J.)

Aggrieved by the order of the learned single Judge dated 18.09.2000 made in W.P.No.14429 of 2000, the Commissioner, Corporation of Chennai has filed the above writ appeal.

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2. in view of the changed circumstances, at the time of hearing of the above writ appeal, we requested the learned counsel for the appellant Corporation to get specific instruction with regard to the following questions.

> "1. Whether the earlier Government Order making the said area as one way continues or rescinded/modified by another order?
> 2.The present position of the Traffic on four sides of the High court?"

The learned counsel for the appellant Corporation has furnished the following information in the form of report for the above said questions, they are:

> "(1) On Traffic regulations, only police department is taking action for proposal and implementation of the traffic network. On oral enquiry with the police department, the above traffic network of one way on all the four sides of the High Court were implemented as a trial basis and the same was withdrawn due to practical difficulties.
> (2)At present, the four sides of the roads around High Court are Two way traffic lanes with center median. "

In view of the present position, we are of the view that no further adjudication is required in this writ appeal; accordingly, the same is closed. No costs. Consequently, connected WAMP., is also closed.

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Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

The Commissioner Corporation of Chennai
Ripon Building Chennai 600 003.

+ 1 cc to Mr. L. N. Praghosam, Advocate SR No. 64474

SR(CO)
SR/3.1.2007

Judgement in
Writ Appeal No.1766 of 2000

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